IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 220

BY STATE AFFAIRS COMMITTEE

1	AN ACT
2	RELATING TO HORSE RACING; AMENDING SECTION 54-2502, IDAHO CODE, TO DEFINE
3	A TERM; AMENDING SECTION 54-2505, IDAHO CODE, TO REVISE A CODE REFER-
4	ENCE; AND AMENDING CHAPTER 25, TITLE 54, IDAHO CODE, BY THE ADDITION OF A
5	NEW SECTION 54-2512A, IDAHO CODE, TO PROVIDE FOR WAGERING ON HISTORICAL
6	HORSE RACES, TO PROVIDE FOR THE DISTRIBUTION AND PAYMENT OF ALL SUMS DE-
7	POSITED IN ANY HISTORICAL HORSE RACE POOL, TO PROVIDE FOR THE CONTINUOUS
8	APPROPRIATION OF CERTAIN MONEYS, TO PROVIDE FOR CERTAIN AGREEMENTS WITH
9	HORSEMEN'S GROUPS, TO PROVIDE FOR THE HISTORICAL HORSE RACE PURSE MON-
10	EYS FUND AND TO PROVIDE FOR RULEMAKING.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-2502, Idaho Code, be, and the same is hereby amended to read as follows:

54-2502. DEFINITIONS. Unless the context otherwise requires, words and phrases as used herein shall mean:

- (1) "Commission" means the Idaho state racing commission, hereinafter created.
- (2) "Gross daily receipts" means the total of all sums deposited in all pools for each race day.
- (3) "Historical horse race" means a race involving live horses that was conducted in the past and that is rebroadcast by electronic means and shown on a delayed or replayed basis for the purposes of wagering conducted at a facility that is authorized to show simulcast and/or televised races.
- (4) "Horsemen's group" means an organization composed of licensed owners and/or trainers duly registered with the secretary of state and recognized by the Idaho racing commission.
- (45) "Host facility" means the racetrack at which the race is run, or the facility which is designated as the host facility if the race is run in a jurisdiction which is not participating in the interstate combined wagering pool.
- (56) "Host jurisdiction" means the jurisdiction in which the host facility is located.
- (67) "Interstate common wagering pool" means a pari-mutuel pool established in one (1) jurisdiction which is combined with comparable pari-mutuel pools from one (1) or more racing jurisdictions. Such pool is established for the purpose of establishing pay-off prices in the various jurisdictions.
- (78) "Pari-mutuel" means any system whereby wagers with respect to the outcome of a race are placed with, or in, a wagering pool conducted by a person licensed or otherwise permitted to do so under state law, and in which the participants are wagering with each other and not against the operator.
- $(\frac{89}{2})$ "Persons" means and includes individuals, firms, corporations and associations.

 $(9\underline{10})$ "Pool" means the total sum of all moneys wagered in each race for each type of bet. Types of bets include win, place, show, quinella, daily double, exacta, trifecta, etc., and such other types as are approved by the commission from time to time.

- $(1\theta\underline{1})$ "Race meet" means and includes any exhibition of thoroughbred, purebred, and/or registered horse racing, mule racing or dog racing, where the pari-mutuel system of wagering is used. Singular includes the plural and plural includes the singular; and words importing one gender shall be regarded as including all other genders.
- (1 ± 2) "Racing jurisdiction" or "jurisdiction" means a governmental jurisdiction responsible for the regulation of pari-mutuel racing in that jurisdiction.
- (123) "Simulcast" means the telecast or other transmission of live audio and visual signals of a race, transmitted from a sending track to a receiving location, for the purpose of wagering conducted on the race at the receiving location.
- SECTION 2. That Section 54-2505, Idaho Code, be, and the same is hereby amended to read as follows:
- 54-2505. COMMISSION'S ANNUAL REPORT -- PUBLIC RECORD. The commission shall keep detailed records of all meetings and of the business transacted therein, and all licenses applied for and issued, reports of which shall be embodied in an annual report which the commission shall prepare and submit to the governor on or before the thirty-first day of March of each year. Said annual report shall cover the activities of the commission, including the financial report of the commission and a financial summary of licensees subject to section 54-2508, Idaho Code, and organizations of licensees defined in section $54-2502 \left(\frac{34}{2} \right)$, Idaho Code, for the preceding year in addition to the aforementioned.
- All records of the commission shall be public records, and as such, subject to public inspection.
- SECTION 3. That Chapter 25, Title 54, Idaho Code, be, and the same is hereby amended by the addition thereto of a $\underline{\text{NEW SECTION}}$, to be known and designated as Section 54-2512A, Idaho Code, and to read as follows:
- 54-2512A. PARI-MUTUEL BETTING ON HISTORICAL HORSE RACES -- DISTRIBUTIONS OF DEPOSITS -- HISTORICAL HORSE RACE PURSE MONEYS FUND. (1) Wagering on an historical horse race is declared to be lawful and within the scope of a license that authorizes a live race meet licensee to conduct and supervise the use of the pari-mutuel wagering on simulcast and/or televised races. Wagering on an historical horse race shall be conducted in accordance with the pari-mutuel system pursuant to the provisions of this chapter and in accordance with all rules promulgated by the commission. Wagering on an historical horse race may be conducted at any facility authorized to conduct and supervise wagering on simulcast and/or televised races.
- (2) Each licensee conducting the pari-mutuel system for historical horse races shall distribute and pay all sums deposited in any historical horse race pool as follows:

- (a) No less than eighty-nine percent (89%) of gross daily receipts in various wagering pools established to fund reserves and payoffs for distribution and payment to winning wagers;
- (b) One and one-half percent (1.50%) of gross daily receipts to the Idaho state racing commission for distribution and deposit as follows in the following designated accounts:
 - (i) One-half of one percent (0.50%) of gross daily receipts to the racing commission account within the state regulatory fund;
 - (ii) One-fifth of one percent (0.20%) of gross daily receipts to the track distribution account within the pari-mutuel distribution fund;
 - (iii) One-fifth of one percent (0.20%) of gross daily receipts to the breed distribution account within the pari-mutuel distribution fund;
 - (iv) One-half of one percent (0.50%) of gross daily receipts to the public school income fund; and
 - (v) One-tenth of one percent (0.10%) of gross daily receipts to the Idaho horse council youth programs account which is hereby created within the pari-mutuel distribution fund; and
- (c) The balance of gross daily receipts to the licensee. All moneys in these accounts are hereby continuously appropriated to the commission for further distribution and time of payment as provided in section 54-2513, Idaho Code.
- (3) Each licensee conducting the pari-mutuel system for historical horse races shall enter into an agreement with a horsemen's group, as the term "horsemen's group" is defined in section 54-2502, Idaho Code, that shall address, but not be limited to, establishing the percentage of the historical horse race handle that is dedicated to the live horse race purse structure. In addition, the agreement shall provide that all historical race purse moneys that are accrued as required by horsemen's agreements shall be held in the historical horse race moneys fund created pursuant to the provisions of this section.
- (4) The historical horse race purse moneys fund is hereby created in the state treasury. Moneys in the fund shall consist of all historical horse race moneys that are accrued as required by horsemen's agreements. Moneys in the fund are hereby perpetually appropriated to the Idaho state racing commission for distribution pursuant to the provisions of horsemen's agreements and rules of the commission. The commission is authorized to promulgate rules providing for the receipt, deposit, withdrawal and distribution of such moneys. The state treasurer shall invest idle moneys in the fund and any interest received on those investments shall be returned to the fund which is created pursuant to the provisions of this section.
- (5) The commission may promulgate rules pursuant to chapter 52, title 67, Idaho Code, to implement the provisions of this section.